

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Assistant Planner
DATE: September 23, 2009
SUBJECT: **ENTITLEMENT PLAN AMENDMENT NO. 2009-008 (AMENDMENT TO
CONDITIONAL USE PERMIT NO. 96-50 – SAKURA SIGN & TRELLIS)**
LOCATION: 16871 Beach Boulevard, 92647 (west side of Beach Boulevard, north of
Warner Avenue)

Applicant: Andy Dang, Dang & Associates Inc., 18582 Derby Circle, Huntington Beach,
CA 92648

Property Owner: Dang & Associates Inc., 18582 Derby Circle, Huntington Beach, CA 92648

Request: To amend a previously approved plan to allow for a two-foot trellis extension to the existing six-foot high plexiglass wall surrounding the outdoor dining area and 10'-6" entry monumentation within the front yard setback in lieu of the maximum allowed height of 42 inches.

Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CG – F2 – a (Commercial General – 0.50 maximum floor area ratio – auto district overlay)

Existing Use: Restaurant

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of minor alterations to an existing commercial building, involving no expansion of use.

SUGGESTED FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 2009-008:

1. Entitlement Plan Amendment No. 2009-008 for the amendment of a previously approved plan to allow for a two-foot trellis extension to the existing six-foot high plexiglass wall surrounding the outdoor dining area and 10'-6" entry monumentation within the front yard setback in lieu of the maximum allowed height of 42 inches will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The enhancement of the outdoor dining area will draw activity along the street frontage consistent with commercial uses. The proposed structures at increased heights within the front yard setback are entirely within the site and aesthetically improve the visual quality of the site along the commercial corridor.
2. The entitlement plan amendment will be compatible with surrounding uses because the architectural enhancements to the existing restaurant aesthetically improve the site and commercial vicinity. The site is within a primary scenic corridor and the project provides minor alterations to the exterior façade by adding trellis features to the outdoor dining walls and entrance. The improvements offer a subtle attention to the entrance and building.
3. The proposed Entitlement Plan Amendment No. 2009-008 will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The granting of the entitlement plan amendment will provide a greater overall height of the proposed structures by allowing the architectural extensions above the existing outdoor dining walls and new entry monumentation at the reduced front yard setback.
4. The granting of the entitlement plan amendment will not adversely affect the General Plan. It is consistent with the Land Use Element designation of commercial general on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

CE 7 Maintain and enhance the visual quality and scenic views along designated scenic corridors.
CE 7.3 Protect scenic corridors and open space/landscape areas by blending man-made features with the natural environment.

The project is primarily an architectural enhancement to the site, emphasizing visual quality and aesthetic improvements along a scenic corridor. Although the area is mainly auto-oriented, the site offers pedestrian friendly qualities by providing an improvement to the exterior façade of the outdoor dining area and main entrance. The proposed structures at increased heights within the front yard setback do not dominate the façade because the landscaping helps to soften the visual appearance.

SUGGESTED CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 2009-008:

1. The site plan and elevations received and dated July 17, 2009 shall be the conceptually approved design.
2. The Zoning Administrator shall be notified in writing if any changes in wall height, floor area, setbacks, or wall elevations are proposed as a result of the plan check process. Building permits shall not be issued until the Zoning Administrator has reviewed and approved the proposed changes. The Zoning Administrator reserves the right to require an amendment to the original entitlement be processed if the proposed changes are of a substantial nature.
3. Within 30 days of final approval (by October 23, 2009), the applicant shall obtain any necessary Building and Electrical permits.
4. Within 60 days of final approval (by November 23, 2009), any necessary Building and Electrical permits shall be finalized.
5. All previous conditions of approval per Conditional Use Permit No. 96-50 shall apply.
6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.